

Message Text

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ACTION OES-06

INFO OCT-01 EUR-12 ISO-00 L-03 AF-08 ARA-06 EA-07 NEA-10

IO-13 ACDA-07 FEAE-00 COME-00 INT-05 NSF-01 CIAE-00

DODE-00 INR-07 NSAE-00 PA-01 PRS-01 SP-02 DOTE-00

CG-00 CEQ-01 EPA-01 DLOS-06 SAL-01 SSO-00 INRE-00

USIE-00 TRSE-00 AGRE-00 EB-08 /107 W

-----101754Z 109050 /47

O 101706Z MAR 77

FM AMEMBASSY LONDON

TO SECSTATE WASHDC IMMEDIATE 1468

C O N F I D E N T I A L SECTION 01 OF 02 LONDON 04067

E.O. 11652: GDS

TAGS: XV' TGEN, UK

SUBJECT: ANTARCTIC TREATY: MARCH PREPARATORY MEETING:

ANTARCTIC MARINE LIVING RESOURCES

REF: (A) STATE 45259; (B) LONDON 3717

AS SUGGESTED PARA 2 REFTEL (B), HEAP HAS GIVEN FURTHER CONSIDERATION TO HIS DRAFT PAPER ON ANTARCTIC MARINE LIVING RESOURCES. HE HAS NOW DRAWN UP AN OUTLINE OF WHAT HE DESCRIBES AS "THE POSSIBLE CONTENT OF A SOUTHERN OCEAN FISHERIES CONVENTION." HE ASKED THAT WE PASS IT ON TO DEPARTMENT SO THAT U.S. DEL MIGHT HAVE TIME TO CONSIDER IT PRIOR TO CONSULTING WITH HEAP ON MARCH 13. TEXT FOLLOWS.

BEGIN TEXT: AN OUTLINE OF THE POSSIBLE CONTENT OF A SOUTHERN OCEAN FISHERIES CONVENTION.

PREAMBULAR PARAGRAPH SETTING OUT THAT:

(A) THERE ARE RESOURCES;

(B) THEY NEED TO BE CONSERVED AND RATIONALLY MANAGED;

(C) RATIONAL MANAGEMENT DEPENDS ON:

(I) SCIENTIFIC AND TECHNOLOGICAL RESEARCH;

(II) PROVISION OF STATISTICAL INFORMATION CON-

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CERNING FISHING EFFORT AND THE RESULTING CATCH;

(III) REGULATION OF CATCH EFFORT;

(IV) MUTUALLY ACCEPTABLE ASSURANCE OF THE EFFECT-
IVENESS OF THE CONVENTION PROVISIONS.

OPERATIVE ARTICLES.

1. SCOPE.

- (I) WOULD ESTABLISH THE AREA (SOUTH OF 60 DEGREES S) AND/OR THE SPECIES TO WHICH THE CONVENTION WOULD APPLY.
- (II) WOULD AFFIRM ARTICLE IV OF THE ANTARCTIC TREATY.
- (III) WOULD ESTABLISH (IF NOT DONE UNDER 1(I) ABOVE) THE SPECIES TO WHICH THE CONVENTION WOULD APPLY (SPECIES SHOULD BE LISTED IN THE ANNEX).
- (IV) WOULD ESTABLISH THE ANNEX AS AN INTEGRAL PART OF THE CONVENTION.

2. IMPLEMENTATION.

- (I) WOULD ESTABLISH THAT THE CONTRACTING PARTIES WOULD AGREE NOT TO TAKE LISTED SPECIES EXCEPT IN ACCORDANCE WITH THE PROVISIONS OF THE CONVENTION.
- (II) WOULD REQUIRE THAT CONTRACTING PARTIES TAKE APPROPRIATE LEGISLATIVE STEPS TO ENSURE OBSERVANCE OF THIS COMMITMENT.
- (III) WOULD REQUIRE THAT CONTRACTING PARTIES ACCEPT AND EXERCISE PROVISIONS ENSURING THE OBSERVANCE OF THE CONVENTION PROVISIONS.

3. COMMISSION.

- (I) WOULD ESTABLISH A SOUTHERN OCEAN FISHERIES COMMISSION FOR THE PURPOSE OF REGULATING FISHING ACTIVITY WITHIN THE CONVENTION AREA.
- (II) WOULD ESTABLISH THE CONSTITUTION OF THE COMMISSION.
- (III) WOULD ESTABLISH THE APPOINTMENT OF COSTS OF

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THE COMMISSION BETWEEN THE PARTIES TO THE CONVENTION.

- (IV) WOULD ESTABLISH THAT THE COSTS ARISING FROM THE OPERATION OF REGULATION MECHANISMS AND ENSURANCE OF THE OBSERVANCE OF THE CONVENTION WOULD BE A CHARGE ON THE COMMISSION.

4. EXCHANGE OF INFORMATION.

- (I) WOULD DESIGNATE A BODY (FAO) TO WHICH CONTRACTING PARTIES WOULD PROVIDE THE INFORMATION SPECIFIED IN THE ANNEX.
- (II) WOULD PROVIDE FOR THAT BODY TO ANALYSE THAT INFORMATION.
- (III) WOULD PROVIDE FOR THAT BODY TO PROVIDE TO CONTRACTING PARTIES, TO THE COMMISSION AND TO SCAR THE INFORMATION PROVIDED TO IT IN ACCORDANCE WITH SECTION (1) OF THIS ARTICLE AND THEIR ANALYSIS OF THAT INFORMATION.

5. PROVISION OF INDEPENDENT ADVICE.

- (I) WOULD PROVIDE FOR THE GIVING OF ADVICE TO

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C O N F I D E N T I A L SECTION 02 OF 02 LONDON 04067

ALL CONTRACTING PARTIES BY THE BODY DESIGNA-
TED IN ARTICLE 4 ON ALL MATTERS RELEVANT TO
THE PRINCIPLES, PURPOSES AND OPERATION OF
THE CONVENTION.

(II) WOULD PROVIDE FOR THE GIVING OF SCIENTIFIC
ADVICE TO ALL CONTRACTING PARTIES BY SCAR
RELEVANT TO THE IMPACT OF FISHING OPERATIONS
ON THE ANTARCTIC ECOSYSTEM IN WHOLE OR IN
PART.

6. ANNEXED MEASURES.

(I) WOULD REQUIRE THAT CONTRACTING PARTIES
ADOPT THE ANNEXED MEASURES AND WOULD MAKE
PROVISION FOR OTHER MEASURES TO BE ADOPTED
IN THE FUTURE.

(II) WOULD ESTABLISH THAT THE ANNEX COULD BE
AMENDED.

7. AMENDMENTS TO THE CONVENTION.

(I) WOULD ESTABLISH PROCEDURES FOR AMENDING THE
CONVENTION.

8. AMENDMENTS TO THE ANNEX.

(I) WOULD ESTABLISH PROCEDURES FOR AMENDING THE

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ANNEX.

FORMAL ARTICLES.

ANNEXED MEASURES. END OF TEXT.

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